

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
v.                             ) Case No. 09-4017-01-CR-C-NKL  
                                  )  
DONALD RAY GERLT,            )  
                                  )  
Defendant.                    )  
                                  )  
                                  )

ORDER

On August 31, 2010, United States Magistrate Judge William A. Knox recommended that the Court enter an Order granting the Government's Motion to Strike Defendant's Pro Se Motion to Dismiss [Doc. #34]. *See* Report and Recommendation [Doc. # 39]. Having conducted an independent review of the record, the Court concludes that Gerlt's pro se motions do not comply with the procedural requirements of the Court. Gerlt has been continuously represented by counsel since April 20, 2009. His pro se motions were filed on May 14, 2010 and July 22, 2010. As set forth in the Court's Scheduling and Trial Order [Doc. # 11], the Court does not accept pro se filings from defendants who are represented by counsel. Therefore, the Court adopts the portion of the Magistrate's Report and Recommendation that grants the Government's Motion to

Strike because Gerlt's pro se motions were procedurally improper. However, the Court declines to adopt the Magistrate Judge's substantive findings.

Accordingly, it is hereby

ORDERED that Magistrate Judge Knox's Report and Recommendation of August 31, 2010 [Doc. # 39] is adopted to the extent it grants the Government's Motion to Strike [Doc. #34].

S/NANETTE K. LAUGHREY  
NANETTE K. LAUGHREY  
United States District Judge

Dated: October 15, 2010  
Jefferson City, Missouri